

# COMMITTEE REPORT

MR. PRESIDENT:

**The Senate Committee on Elections, to which was referred House Bill No. 1313, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1           Page 4, between lines 26 and 27, begin a new paragraph and insert:  
2           "SECTION 2. IC 3-7-31-5 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. The registration  
4           forms prescribed under section 1 of this chapter must:  
5           (1) provide for the residence address and the mailing address of  
6           the individual completing the forms;  
7           (2) contain a statement that a notice of disposition of the person's  
8           registration application will be mailed to the mailing address of  
9           the individual; and  
10          (3) ~~request the~~ **require the applicant to provide the last four (4)**  
11          **digits of the applicant's** Social Security number, ~~of the applicant,~~  
12          ~~as permitted under the federal Privacy Act of 1974 (5 U.S.C.~~  
13          ~~552a) if any."~~  
14          Page 17, between lines 31 and 32, begin a new paragraph and insert:  
15          "SECTION 15. IC 3-10-1-31 IS AMENDED TO READ AS  
16          FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 31. (a) The  
17          inspector of each precinct shall deliver the bags required by section  
18          30(a) and 30(c) of this chapter in good condition, together with poll  
19          lists, tally sheets, and other forms, to the circuit court clerk when  
20          making returns.

(b) Except for unused ballots disposed of under IC 3-11-3-31 or affidavits received by the county election board under IC 3-14-5-2 for delivery to the foreman of a grand jury, the circuit court clerk shall carefully preserve seal the ballots and other material and keep all seals intact during the time allowed to file a verified petition for a recount of votes. After the recount filing period, the election material (except for ballots, which must remain confidential) shall be made available for copying and inspection under IC 5-14-3. The circuit court clerk shall carefully preserve the sealed ballots and other material for twenty-two (22) months, as required by 42 U.S.C. 1974, after which they may be destroyed the sealed ballots and other material are subject to IC 5-15-6 unless:

- (1) an order issued under IC 3-12-6-19 or IC 3-12-11-16; or
- (2) 42 U.S.C. 1973;

requires the continued preservation of the ballots or other material.

(c) If a petition for a recount or contest is filed, the material for that election must remain confidential until completion of the recount or contest.

~~(c)~~ (d) Upon delivery of the poll lists, the circuit court clerk or board of county voter registration office may unseal the envelopes containing the poll lists. For the purposes of:

- (1) a cancellation of registration conducted under IC 3-7-43 through IC 3-7-46; or
- (2) a transfer of registration conducted under IC 3-7-39, IC 3-7-40, or IC 3-7-42; or

(3) a change of name performed in accordance with IC 3-7-41; the clerk or board county voter registration office may inspect the poll lists and update the registration record of the county. Upon completion of the inspection, the poll list shall be resealed and preserved with the ballots and other materials in the manner prescribed by subsection (b) and for the time period prescribed by subsection (b) or (c).

(e) This subsection does not apply to ballots, which remain confidential. Notwithstanding subsection (b), if a county voter registration office determines that the inspection and copying of precinct election material would reveal the political parties, candidates, and public questions for which an individual cast an absentee ballot, the circuit court clerk shall keep confidential only

1 **that part of the election material necessary to protect the secrecy**  
 2 **of the voter's ballot.**

3 ~~(d)~~ (f) After the expiration of the period described in subsection (b),  
 4 the ballots may be destroyed in the manner provided by IC 3-11-3-31  
 5 or transferred to a state educational institution as provided by  
 6 IC 3-12-2-12."

7 Page 19, between lines 20 and 21, begin a new paragraph and insert:  
 8 "SECTION 18. IC 3-10-12-3 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) This section  
 10 applies to a voter who:

11 (1) changes residence from a precinct in a county to another  
 12 precinct:

13 (A) in the same county; and

14 (B) in the same congressional district;

15 as the former precinct; and

16 (2) does not notify the ~~circuit court clerk or board of county voter~~  
 17 registration **office** of the change of address before election day.

18 (b) A voter described by subsection (a) may:

19 (1) correct the voter registration record; and

20 (2) vote in the precinct where the voter formerly resided;

21 if the voter makes an oral or a written affirmation as described in  
 22 section 4 of this chapter of the voter's current residence address.

23 However, a voter **described by subsection (a)** who ~~moved~~ **changes**  
 24 **residence from** outside of a municipality **to a location within a**  
 25 **municipality** may not return to the precinct where the voter formerly  
 26 resided to vote in a municipal election **or special election held only**  
 27 **within the municipality.**

28 (c) A person entitled to make a written affirmation under subsection  
 29 (b) may make an oral affirmation. The person must make the oral  
 30 affirmation before the poll clerks of the precinct. After the person  
 31 makes an oral affirmation under this subsection, the poll clerks shall:

32 (1) reduce the substance of the affirmation to writing at an  
 33 appropriate location on the poll list; and

34 (2) initial the affirmation."

35 Page 24, after line 4, begin a new paragraph and insert:

36 "SECTION 27. THE FOLLOWING ARE REPEALED  
 37 [EFFECTIVE NOVEMBER 3, 1998 (RETROACTIVE)]: IC 4-5-1-10;  
 38 IC 4-7-1-17; IC 4-8.1-2-15.

- 1        **SECTION 28. An emergency is declared for this act."**
- 2        Renumber all SECTIONS consecutively.  
      (Reference is to HB 1313 as printed February 9, 1999.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 8, Nays 0.

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**Landske**

**Chairperson**